



**United States Department of Justice**  
United States Attorney's Office  
Western District of Texas – Austin Division

Daniel D. Guess  
Assistant United States Attorney

903 San Jacinto Boulevard, Suite 334  
Austin, Texas 78701

Phone: (512) 916-5858

August 21, 2023

Wells Fargo, N.A.  
Attention: Summons and Subpoenas Department  
6208 McNeil Drive  
Austin, Texas 78729

*P. R. L.*  
*TAP*

RE: Grand Jury Subpoena

Dear Madam/Sir:

You or your related entity have been served with a Grand Jury subpoena requesting records pertaining to an ongoing federal criminal investigation.

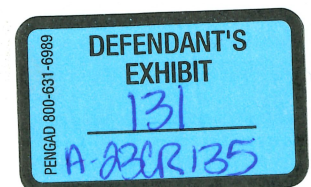
Under the Right to Financial Privacy Act, financial institutions responding to a grand jury request for production of certain financial records are entitled to reimbursement for some of the costs involved in responding to grand jury requests. Please see "Important Notice" attached.

No reimbursements will be made unless there is a full and complete itemized statement for all costs on the enclosed form USA-211. When a subpoena requests records for several individuals as well as corporations, the invoice must make clear that the expenses being billed are only for records related to the individual accounts, and not the corporate accounts. Moreover, no reimbursements will be paid for partial compliance with the grand jury request. No invoices should be submitted to this office until the grand jury request is completely fulfilled, and the accompanying invoice is a final and complete invoice for all costs involved in fulfilling the request.

**\*As noted on the form USA-211, if you anticipate services to exceed \$180.00, please contact my Legal Assistant at (512) 916-5858 to obtain authorization to proceed.**

Please note that the custodian of the records, or other authorized individual, is authorized to comply with this subpoena by providing the records which are the subject of this grand jury subpoena as directed pursuant to the attached Guidelines for Electronic Documents, Audio, and Video, together with the completed and signed Certificate of Authenticity.

Subpoena # 2023R03580-0021



Because these are records sought by subpoena in connection with a criminal investigation, any disclosure of the existence of this subpoena or the nature of the records requested may jeopardize the on-going federal criminal investigation, including the safety of witnesses and investigators involved in the matter. As such, the U.S. Attorney's Office requests you keep these matters confidential.

I appreciate your cooperation in this matter. If you have any questions, please feel free to contact this office at (512) 916-5858.

Sincerely,

JAIME ESPARZA  
UNITED STATES ATTORNEY

By: /s/  
DANIEL D. GUESS  
Assistant United States Attorney

**Note:** When providing the requested documents, please include the subpoena number on the subject line of your email or other method of communication. Also, when requesting reimbursement, you must provide the completed USA-211 and a copy of the subpoena. **No invoice will be processed unless your taxpayer identification number is on the USA-211 form.** The electronic reimbursement request form must be attached separately from the subpoena production.

**Enclosures:**

**Grand Jury Subpoena  
Certificate of Authenticity  
Important Notice  
Guidelines for Electronic Documents, Audio, and Video  
USA-211**

Subpoena # 2023R03580-0021

AO 110 (Rev. 06/09) Subpoena to Testify Before a Grand Jury

UNITED STATES DISTRICT COURT

for the  
Western District of Texas

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: Wells Fargo, N.A.  
Attention: Summons and Subpoenas Department  
6208 McNeil Drive  
Austin, Texas 78729

YOU ARE COMMANDED TO APPEAR IN THIS UNITED STATES DISTRICT COURT AT THE TIME, DATE, AND PLACE SHOWN BELOW TO TESTIFY BEFORE THE COURT'S GRAND JURY. WHEN YOU ARRIVE, YOU MUST REMAIN AT THE COURT UNTIL THE JUDGE OR A COURT OFFICER ALLOWS YOU TO LEAVE.

Place: UNITED STATES COURTHOUSE GRAND JURY ROOM #5600 501 W. 5TH STREET AUSTIN, TX 78701	DATE: September 19, 2023 TIME: 9:00 A.M.
---	---

YOU MUST ALSO BRING WITH YOU THE FOLLOWING DOCUMENTS, ELECTRONICALLY STORED INFORMATION, OR OBJECTS: **SEE ATTACHMENT.**

IN LIEU OF PERSONAL APPEARANCE BEFORE THE GRAND JURY, YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING VIA EMAIL THE REQUESTED DOCUMENTS TO **YOLANDA ROLAND, GRAND JURY COORDINATOR, UNITED STATES ATTORNEY'S OFFICE, 903 SAN JACINTO BLVD., SUITE 334, AUSTIN, TEXAS 78701, USATXW.AUGJRECORDS@USDOJ.GOV; PRIOR TO THE DATE INDICATED ABOVE.**

Please direct all questions and correspondence to Special Agent Justin Noble, Federal Bureau of Investigation at 5126674942 or jenoble@fbi.gov.

**NOTE:** BECAUSE UNTIMELY DISCLOSURE OF THIS SUBPOENA WOULD BE LIKELY TO INTERFERE WITH AN INVESTIGATION, PLEASE DO NOT DISCLOSE THIS SUBPOENA TO ANYONE.

Date: August 21, 2023



*Philip J. Oatis*  
CLERK OF COURT

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are:

DANIEL D. GUESS, ASSISTANT UNITED STATES ATTORNEY  
UNITED STATES ATTORNEY'S OFFICE, WESTERN DISTRICT OF TEXAS  
903 SAN JACINTO BOULEVARD, SUITE 334  
AUSTIN, TX 78701  
(512) 916-5858

Subpoena # 2023R03580-0021

AO 110 (Rev. 06/09) Subpoena to Testify Before Grand Jury (Page 2)

**PROOF OF SERVICE**

This subpoena for (name of individual or organization) 8/23/2023 Wells Fargo  
was received by me on (date) 8/23/23



I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

Cassandra Rang on (date) 8/24/23 ; or



I returned the subpoena unexecuted because: \_\_\_\_\_

I declare under penalty of perjury that this information is true.

Date: 8/24/23

J. Noble SA/FBI  
Server's signature  
Printed name and title

12515 Research Bld B7,5400  
Server's address  
Austin TX 78759

Additional information regarding attempted service, etc.:

Subpoena # 2023R03580-0021

## ATTACHMENT TO GRAND JURY SUBPOENA

Wells Fargo Bank, N.A.  
Attention: Summons and Subpoenas Department  
6208 McNeil Drive  
Austin, Texas 78729

Company/Individual/Organization:

1. **Eric Perardi, DOB: July 23, 1971 – including account #8023826673**
2. **T.A.P. Development, LCC – including account #2399107818**

Please provide electronically any and all books, records, documents or other information for the above identified individual and/or accounts for the time period **04/01/2022 through 08/18/2023**. This also includes records for any other accounts the above individual is associated with. In addition, provide the below information for all signatories on the account of the above referenced account. This includes, but is not limited to, the following specific categories of books, records, documents or other information:

- (1) **Signature Cards:** Signature cards for all checking, savings accounts, and/or accounts of any kind pertaining to the aforementioned entities or over which the aforementioned individual had or have signature authority, regardless of the account name, for the identified period.
- (2) **Statements and supporting documents or offsets:** Bank ledger sheets, bank statements, deposit slips (front and back) and offsets, canceled checks (front and back), withdrawal slips and offsets, credit memos, debit memos, and/or any other records on all checking, savings accounts, and/or accounts of any kind regardless of the account name, for the aforementioned individual for the identified period. Include all teller journals capturing third party cash depositors' identification.
- (3) **Loan Activity:** Liability ledger sheets, loan applications, origination documents-regardless of date, financial statements, credit reports, federal tax returns, collateral reports, letters, correspondence or memoranda in file, records showing disposition of loan proceeds, records of loan payments, and/or any other records on all loans (commercial, real estate, installment, etc) made to the aforementioned individual, or on all loans in which the aforementioned individual was or is a cosigner, or on all loans which were active during the identified period.
- (4) **Loan Activity Support (if necessary):** Transit microfilm, proof tapes, and any other bank records necessary for identification of any of the deposits described in Item #2 above or payments made to any loans described in Item #3 above.
- (5) **Cashier's Checks, Money Orders and Drafts:** Cashier's checks, bank money orders, and/or bank drafts purchased by or payable to the aforementioned individual either in his name or paid to a third party on behalf of the aforementioned individual for the identified period.
- (6) **Safe Deposit Boxes:** Rental contracts, signature cards and record of entry into safe deposit boxes rented or controlled by the aforementioned individual for the identified period.

## ATTACHMENT TO GRAND JURY SUBPOENA

- (7) **CDs, IRAs, & Brokerage Accounts:** Records of all certificate of deposits, individual retirement accounts, stock brokerage accounts or any similar accounts, owned or controlled by the aforementioned individual which were acquired, opened or active during the identified period to include applications and opening deposits.
- (8) **Credit Cards:** Records of all credit card accounts, or similar accounts, which were acquired, opened or active during the identified period; including, but not limited to, the account application; cardholder agreement(s); monthly statements; copies of cash advance slips; copies of charge slips (purchases); records of all payments; any credit and/or debit adjustments to the account; credit reports; copies of letters, correspondence, memorandums, etc.; names, address, and numeric identifiers of any co-signer or authorized user of the account, etc.
- (9) **Collections:** Records of all collections which were handled on behalf of or concerning the aforementioned individual for the identified period.
- (10) **Wire Transfers:** Records, instructions, confirmations, of any and all wire transfers made for, by or to the aforementioned individual(s) for the identified period.
- (11) **CTRs:** All Currency Transaction Records (Form 4789) and/or any list, statements or certifications showing exemption from filing Currency Transaction Reports (Form 4789) prepared by or on behalf of the aforementioned individual for the identified period.
- (12) **Other Records:** Any other records, including but not limited to, correspondence to or from the above named individual or entity, deeds to real estate, records of real estate transactions, records of purchases or sale of stocks and/or bonds, contracts for the purchase or sales of personal property, insurance policies, or any other records relating to any financial matter, concerning the aforementioned individual for the identified period.

IN LIEU OF PERSONAL APPEARANCE BEFORE THE GRAND JURY, YOU MAY COMPLY WITH THIS SUBPOENA BY PROVIDING VIA EMAIL THE REQUESTED DOCUMENTS TO YOLANDA ROLAND, GRAND JURY COORDINATOR, UNITED STATES ATTORNEY'S OFFICE, 903 SAN JACINTO BLVD., SUITE 334, AUSTIN, TEXAS 78701; [USATXW.AUGJRECORDS@USDOJ.GOV](mailto:USATXW.AUGJRECORDS@USDOJ.GOV)

Questions regarding this matter should be directed to SA Noble who can be reached via telephone at office (512) 345-1111, cellular 512-667-4942, email [jenoble@fbi.gov](mailto:jenoble@fbi.gov).



**CERTIFICATE OF AUTHENTICITY OF DOMESTIC  
RECORDS PURSUANT TO FEDERAL RULES OF  
EVIDENCE 902(11) AND 902(13)**

I, \_\_\_\_\_, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by \_\_\_\_\_ [PROVIDER], and my title is \_\_\_\_\_. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of \_\_\_\_\_ [PROVIDER]. The attached records consist of \_\_\_\_\_ [GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)]. I further state that:

a. All records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted activity of \_\_\_\_\_ [PROVIDER], and they were made by \_\_\_\_\_ [PROVIDER] as a regular practice; and

b. Such records were generated by \_\_\_\_\_ [PROVIDER'S] electronic process or system that produces an accurate result, to wit:

1. The records were copied from electronic device(s), storage medium(s), or file(s) in the custody of \_\_\_\_\_ [PROVIDER] in a manner to ensure that they are true duplicates of the original records; and

2. The process or system is regularly verified by \_\_\_\_\_ [PROVIDER], and at all times pertinent to the records certified here the process and system functioned properly and normally.

I further state that this certification is intended to satisfy Rules 902(11) and 902(13) of the Federal Rules of Evidence.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## IMPORTANT NOTICE

Pursuant to the Right to Financial Privacy Act (RFPA), Title 12, United States Code, Section 3415, financial institutions may be reimbursed for necessary costs actually incurred for producing subpoenaed financial records. Reimbursement may only be made in connection with financial records of checking, savings, share, loan or credit card accounts if the accounts belong to individuals or partnerships of five or fewer partners. Reimbursement may only be made to an entity defined as a financial institution under the RFPA. The Federal Reserve Board has established the following guidelines:

1. Search and Processing Costs – May be billed at the following rates of:  
 Clerical/Technical, hourly rate - \$22.00  
 Computer Support Specialist, hourly rate - \$30.00\*  
 Manager/Supervisory, hourly rate - \$30.00

\*If itemized separately, personnel time for computer searches may be paid at the rates set for specialized computer support only when compliance with the request for information requires that the financial institution use programming or other higher level technical services of specialized computer support in order to reproduce electronically stored information in the format requested by the government authority.

2. Reproduction Costs – May be billed at the following rates of:  
 Photocopy, per page - \$0.25\*\*  
 Paper copies of microfiche, per frame - \$0.25  
 Duplicate microfiche, per microfiche - \$0.50  
 Storage Media (CD, flash storage device, etc.) – Actual Cost\*\*\*

\*\*Reimbursement is not permitted on a per-page basis for production of paper documents that had been stored electronically, unless the government specifically requested production of paper documents. \*\*\*Storage media may include encryption technologies.

3. Transportation Costs – If itemized separately, financial institutions may bill for:
  - ✓ Reasonably necessary costs directly incurred to transport personnel to locate and retrieve the requested information, and to deliver such material to the place of examination.
  - ✓ Reasonable measures taken to insure against a data breach, such as the use of registered mail or courier services as required.
  - ✓ No fixed reimbursement will be available for transmittal made by email. However, financial institutions may be reimbursed for personnel costs and other identified costs incurred related to making email transmissions.

### REIMBURSEMENTS CANNOT BE MADE FOR RECORDS RELATING TO ACCOUNTS OF:

1. Corporations
2. Large Partnerships (6 or more partners)
3. Associations
4. Trusts
5. State and local government agencies
6. Other legal entities

Unless otherwise requested, all financial record requests should be delivered in an electronic format.

- Section B, item numbers 11 through 13 of the attached purchase order form must be completed and returned to the United States Attorney's Office to support reimbursement.
- To assure prompt payment, please submit an invoice within 60 days. Mail should be directed to the attorney whose name and address appears on the subpoena. Please include the appropriate tax ID number.

Note: If invoicing for these services is expected to exceed 120 days, please notify the United States Attorney's Office immediately to ensure funds remain available for payment.

Subpoena # 2023R03580-0021



### GUIDELINES FOR ELECTRONIC DOCUMENTS, AUDIO, AND VIDEO

You are providing items that will be electronically organized with other documents and files. To facilitate this process, and make the information you provide useful, it is important that the information be provided in **standard electronic format**.

#### PREFERRED FORMAT FOR ELECTRONIC DOCUMENTS

- We strongly discourage you from providing the documents in proprietary formats that require the use of specialized software to decrypt, view, or export the documents into useable formats. If you must use this format, see the guidelines below.
- Documents should be provided in native format (see table below.)
- If native format is not available, or is not in the table below as a preferred format, then provide documents in PDF or multi-page TIF format.
  - One PDF or TIF file per document.
  - No embedded files within PDF files.
  - Printing and editing of PDF files must not be restricted.
  - No proprietary viewers.
  - Encryption, if used, should be in WinZip, True Crypt, or PDF format.

Type of Document	Preferred Format	Acceptable Format
Word Processor	DOC, DOCX, WPD, TXT	TXT, RTF, PDF, Multipage TIF
Spreadsheet	XLS, XLSX, CSV	
Email	PST, EML, MSG	
Database	PDF, TIF, JPG	
Pictures	JPG, PNG, TIFF, PDF	

#### PREFERRED FORMAT FOR AUDIO AND VIDEO FILES

- Do not provide audio or video in proprietary format that requires the use of specialized software to view or export the audio or video into useable formats.

Type of Document	Preferred Format	Acceptable Format
Audio	WAV, MP3	CDA(CD Audio Format)
Video	AVI, WMV, MPG	DVD Movie Format (AUDIO_TS and/or VIDEO_TS folders)

#### PROPRIETARY SOFTWARE FOR VIEWING DOCUMENTS, AUDIO, OR VIDEO FILES (if you must)

- Do not provide any items in any proprietary format that requires the **installation of software** on our computers.
- Standalone viewers that can run **without being installed** are acceptable **only if they provide an easy method for exporting the items into the standard electronic formats** indicated above. We prefer not to use the viewers as it takes substantially more time to review these documents.

#### IF YOU CANNOT MEET THESE REQUIREMENTS, OR YOU HAVE QUESTIONS

Please contact the Requesting AUSA if you have questions or if there is a compelling reason why the electronic records cannot be provided in one of these formats.

U.S. Department of Justice  
Washington, D.C. 20530

Request for Financial Information Under the Right to Financial Privacy Act (RFPA)  
(Authorization, Purchase Order and Receiving Report)

This form shall be used when requesting financial records of individuals and partnerships of five or fewer individuals under the REPA.

1 Tracking Number: <b>Subpoena # 2023R03580-0021</b>	2 Date Order Prepared: <b>August 21, 2023</b>	3 USAO Number: <b>Subpoena # 2023R03580-0021</b>									
<b>Section A – Authorization and Purchase Order</b>											
4 Name and Address of Financial Institution: Wells Fargo, N.A. Attention: Summons and Subpoenas Department 6208 McNeil Drive Austin, Texas 78729		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">A. Budget Officer Signature</td> <td style="width:25%;">Funding Available</td> <td style="width:25%;">Date</td> </tr> <tr> <td colspan="3">B.</td> </tr> <tr> <td colspan="2">Approving Official Signature</td> <td>Date</td> </tr> </table>	A. Budget Officer Signature	Funding Available	Date	B.			Approving Official Signature		Date
A. Budget Officer Signature	Funding Available	Date									
B.											
Approving Official Signature		Date									
5 Deliver Records To: Yolanda Roland, Grand Jury Coordinator United States Attorney's Office 903 San Jacinto Boulevard, Suite 334 Austin, Texas 78701		Send Completed USA-211 Form & Invoice To: <b>SAME AS ITEM 5</b>  6 Return Date: <b>September 19, 2023</b>									
7 Remarks: Do not proceed with compliance if the total cost will exceed <b>\$180.00</b> without prior approval. To obtain approval, call the requestor listed in item 8. If invoicing for these services is expected to exceed 120 days, please notify the United States Attorney's Office immediately to ensure funds remain available for payment. Please see the attached Important Notice for additional information on invoicing and other requirements for reimbursement.											
8 Name of Requestor: Daniel D. Guess, AUSA	9 Telephone Number (512) 916-5858	10 Date of Request August 21, 2023									

**Section B – Financial Institution Invoice**

No Payment Shall Be Made Unless Expenses Are Itemized Below Or Set Forth On Your Attached Invoice.

11A Invoice Number:	Quantity	Unit Price		Amount
11B: Tax ID Number:		Cost	Per	
11C Service(s) Records Provided:				
A. Searching and processing costs (clerical or technical personnel)		\$22.00	Hour	
B. Searching and processing costs (management/supervisory personnel)		\$30.00	Hour	
C. Searching and processing costs (computer support specialist)		\$30.00	Hour	
D. Reproduction Costs (Photocopying) - **Note: Copy charges will be disallowed if the information is stored electronically, unless the US Attorney's Office requests paper.		\$0.25	Page	
E. Reproduction Costs (Paper Copies of Microfiche: provide justification)		\$0.25	Frame	
F. Reproduction Costs (Duplicate Microfiche: provide justification)		\$0.50	Microfiche	
G. Storage Media Cost (e.g. Compact Disc, DVD, etc. at Actual Cost)				
H. Transportation Costs (Direct Costs Only)				

In Item #12, pursuant to 18 U.S.C. § 1001, I certify under penalty of perjury that, to the best of my knowledge, the services invoiced above (or in an invoice submitted along with this certification) accurately identify the actual quantities of hours, pages, and microfiche and that any other charges represent the actual costs of the services or goods being invoiced or, if actual costs cannot be identified, the charges represent good faith estimates of the actual or direct costs. I further certify under penalty of perjury that all services invoiced were not performed relative to corporate accounts and pertain only to accounts of individuals or partnerships of five or fewer individuals.

12 Signature of Financial Institution Official:	13 Date Signed:	Total Amount Claimed By Financial Institution	
<b>Section C – Receiving Report</b>		16 Disallowance (See Attached)	
14 I certify that the articles and services listed were received:	15 Date Received:	17 Net to Financial Institution	

18 Right to Financial Privacy Act – Public Law 95-630 (12 U.S.C. 3401-3422) Request Pursuant To: <i>(Check One Only)</i>	OBJECT CLASS 2545 2545 2545 2545 2545 2545 2545	19 Signature of Approving Official: _____ Date: _____  20 Funding Source: _____ Accounting Code: _____ Program: _____ 21 Other Accounting/Fund Information: Program Code: _____ Project Code: _____ YREGDOC: Call Number (if applicable): R23TXWR2552 OBL Month (YRMO): _____ Tax ID Number: _____
SECTION <input type="checkbox"/> 3404 Customer Authorization <input type="checkbox"/> 3405 Administrative Subpoena or Summons <input type="checkbox"/> 3406 Search Warrant <input type="checkbox"/> 3407 Judicial Subpoena <input type="checkbox"/> 3408 Formal Written Request <input checked="" type="checkbox"/> 3413 Grand Jury Subpoena <input type="checkbox"/> 3414 Special Procedures		
22 Remarks:		

To the best of my knowledge, the financial records received, for which we are being billed, are those of an individual or partnership of five or fewer individuals.

Signature of United States Attorney's Office Representative

Date